

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA

L.C. Brown, Jr.,	)	C/A No. 4:12-1745-TLW-TER
	)	
Petitioner,	)	
	)	
vs.	)	ORDER
	)	
Warden McCabe,	)	
	)	
Respondent.	)	
	)	

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This is an action seeking habeas corpus relief under 28 U.S.C. § 2254, although Petitioner completed the court form for habeas relief under 28 U.S.C. § 2241. Petitioner may only challenge the validity of his state court convictions pursuant to 28 U.S.C. § 2254. Under Local Civil Rule 73.02(B)(2), D.S.C., pretrial proceedings in this action have been referred to the assigned United States Magistrate Judge. By Order dated July 13, 2012, Petitioner was given a specific time frame in which to bring this case into proper form. Petitioner has complied with the court's Order, and this case is now in proper form.

**PAYMENT OF THE FILING FEE:**

Petitioner has requested to proceed without prepaying the filing fee by filing an Application to Proceed without Prepayment of Fees and Affidavit (Form AO-240), which is construed as a Motion for Leave to Proceed *in forma pauperis*. ECF No. 10. Based on a review of the Motion, Petitioner's request to proceed *in forma pauperis* is **granted**.

**TO THE CLERK OF COURT:**

The Clerk of Court shall not serve the Petition upon Respondent because the Petition is subject to dismissal.

**IT IS SO ORDERED.**

s/Thomas E. Rogers, III  
Thomas E. Rogers, III  
United States Magistrate Judge

September 27, 2012  
Florence, South Carolina